

C1  
a phase shift pattern whose surface is planarized, selectively formed on said transparent substrate and part of said shade pattern formed in said hollow section.

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C2  
SUB D3  
7. (Thrice Amended) A photomask comprising:  
a transparent substrate;  
a hollow section formed on a surface of said transparent substrate;  
a shade pattern made up of a shade film, said shade film formed in said hollow section; and  
a phase shift pattern formed in said transparent substrate by another hollow section.

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C3  
SUB DA  
13. (Twice Amended) A photomask comprising:  
a transparent substrate; and  
a halftone phase shift pattern selectively formed on said transparent substrate, wherein a surface of said phase pattern is flat.

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C4  
SUB DA  
15. (Twice Amended) A photomask comprising:  
a transparent substrate; and  
an intermediate type phase shift pattern selectively formed on said transparent substrate,  
wherein a surface of said phase shift pattern is flat.

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C5  
SUB DS  
22. (Amended) A photomask fabrication method comprising the steps of:  
forming a resist film on a transparent substrate;

forming a desired pattern on said resist film by developing said resist film after said resist film is selectively exposed by using a radiation ray;

forming hollow sections in said transparent substrate by selectively etching said transparent substrate by using said resist film as a mask;

eliminating said resist film from said transparent substrate;

forming a shade film in each of said hollow sections;

performing a chemical and mechanical polishing for said shade film in order to form a shade pattern;

forming a resist film on said transparent substrate in which said shade pattern has been formed;

selectively etching said resist film by using said radiation ray; and

selectively etching said transparent substrate to form a phase shift pattern in the transparent substrate.

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